

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Commissioner of Employment and Training, Hyderabad – Sri D.Ahmed Hussain, Senior Assistant (Retired), Industrial Training Institute (G), Kurnool – Certain irregularities noticed while he was in service – Disciplinary action initiated – Charges proved — Imposing the punishment of 5% cut in pension for 2 years – Orders – Issued.

LABOUR EMPLOYMENT TRAINING & FACTORIES (VIG) DEPARTMENT

G.O.Ms.No:71

Dated :19. 08.2009.

Read the following:

1. Letter No. E/383/2003, dt. 27.06.2003 of Principal/ Convenor (FAC), ITI (G), Kurnool.
2. CET Letter No. G2/2057/2003, dt. 15.10.2003.
3. Govt. Memo.No. 535/EMPA2/2003-1, dt. 13.11.2003 of LET&F Deptt.,
4. CET. Lr. No. G2/2057/2003, dt. 05.12.2003.
5. Govt. Memo.No. 535-Emp.A2/2003-2, dt. 23.12.2003 of LET&F Deptt.,
6. CET Procdgs. No. G2/2057/2003, dt. 18.03.2004.
7. From Sri D.Ahmed Hussain, Sr.Asst. Dt. 06.05.2004.
8. CET Memo No. G2/2057/2003, dt. 27.03.2004.
9. Explanation dt. 06.05.2004 of Sri D.Ahmed Hussain, Sr. Asst. (Retd).
- 10 Lr.No. A1/VG/183/2004, dt. 14.09.2004.
11. CET. Lr.No. M2/Vig/LC2/2057/2003, dt. 29.12.2004.
12. Govt.Memo.No. 5641/Vig/08-1, Dt. 23.08.08.
13. From Sri D.Ahmed Hussain, Sri Asst. (Retd) Dt. 18.09.2008
14. Govt.Memo.No. 5641/Vig/2008-3, Dated 09.03.2009.
15. Reply to Show Cause Notice from D.Ahmed Hussain on 01.05..2009..
16. Govt.Memo.No. 5641/Vig/2008, Dated : 19.05.2009.
17. From the APPSC, LR.No. 689/RT-I/1/2009, Dated 23.06.2009.

In the reference 1st read above, the Principal, Industrial Training Institute (G), Kurnool has submitted a report to the Commissioner of Employment and Training that Sri N.Lenin Babu, S/o N.Ramanna has failed to get the SSC original and other certificates from the Principal and Sri D.Ahmed Hussain, Senior Assistant (Retired) Industrial Training Institute (G) Kurnool who was the concerned Training clerk and custodian of original certificates of Trainees. In spite of several memos issued by the Principal to Sri D.Ahmed Hussain, Senior Assistant, for handing over the certificates, he has not handed over the same and disobeyed the orders of the superiors. In the meanwhile Sri D.Ahmed Hussain, Senior Assistant retired from service on attaining the age of superannuation on 31.05.2003.

2. In the reference 2nd read above, as per the report of the Principal, Industrial Training Institute (G) Kurnool, the Commissioner of Employment and Training has requested the Government to accord sanction to initiate disciplinary action against Sri D.Ahmed Hussain, Senior Assistant (Retired) Industrial Training Institute (G) Kurnool. as per rule 9 (b) of Andhra Pradesh Revised Pension Rules, 1980 for the above lapses.

3. In the reference 3rd read above, the Commissioner of Employment and Training was requested to send a detailed report in the matter. In response to the memo the Commissioner of Employment and Training has furnished a detailed report and sought orders from the Government in this regard vide in the reference 4th read above.

4. In the reference 5th read above Government have accorded permission to frame charges against Sri D.Ahmed Hussain, Senior Assistant (Retired) Industrial Training Institute (G) Kurnool, for dereliction of duties.

5. Accordingly, in the reference 6th read above 3 (three) charges were framed and served on Sri D.Ahmed Hussain, Senior Assistant (Retired) Industrial Training Institute (G) Kurnool for submitting his written statement of defence viz.,

Charge : 1 : That the said Sri Ahmed Hussain while functioning as Senior Assistant during the period 2003 had not turned up to handover the stores & Training sections to Sri B.Kishan Singh, Senior Assistant Industrial Training Institute (G), Kurnool.

Charge 2 : It is charge that I have not handed over the original certificates of the trainee (Sri M./Lenin Babu) S/o M.Ramana, Ex.Trainee welder Trade Industrial Training Institute, Dhone also failed to discharging my legitimate duties properly.

Charge 3 : It is charged that I have not handed over the original certificates of Sri Venkata Subbaiah, Trainee 2. Chandra Shakarappa trainee of Industrial Training Institute, Dhone.

6. In the reference 7th read above Sri D.Ahmed Hussain, Senior Assistant (Retired) has submitted his written statement with a request to drop the charges against him.

7. In the reference 8th read above the Commissioner of Employment and Training in his proceedings dt. 27.03.04 has appointed Sri Quyumuddin, Employment Officer (Vig), Mahaboobnagar as Enquiry Officer to conduct enquiry into the matter and to submit his report.

8. In the reference 10th read above the Enquiry Officer has submitted the Enquiry Report concluding all the 3 charges framed against Sri D.Ahmed Hussain, Senior Assistant (Retired), Industrial Training Institute, Kurnool as held proved.

9. In the reference 11th read above while forwarding the Enquiry Report the Commissioner of Employment and Training has requested the Government to take disciplinary action against the Charged Officer as he is retired from service and the Government is the competent authority to issue orders in respect of retired employees. In the reference 12th read above a copy of the Enquiry Report was communicated to the Charged Officer for his representation. In the reference 13th read above the Charged Officer has submitted his representation. After examining the same it is decide to impose the penalty of 10% cut in pension for 5 years. In the reference 14th read above the Charged Officer was served with a show cause notice as to why the above punishment should not be imposed. In the reference 15th read above the Charged Officer has submitted his representation reiterating earlier reply in which he has not brought any new facts or grounds for consideration.

10. In the reference 16th read above the Government have sought the concurrence of the Andhra Pradesh Public Service Commission and in the reference 17th read above, the Andhra Pradesh Public Service Commission taking a lenient view has advised to impose the penalty of 5% cut in pension for 2 years against Sri D.Ahmed Hussain, Senior Assistant (Retired.) Industrial Training Institute, (G) Kurnool as no financial misappropriation is involved.

11. Government have examined the matter in detail with the material made available and decided to accept the advice of the Andhra Pradesh Public Service Commission and to impose the punishment of 5% cut in pension for 2 years under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 against Sri D.Ahmed Hussain, Senior Assistant (Retired.), Industrial Training Institute, (G) Kurnool.

12. Accordingly, the Director of Employment and Training is hereby directed to impose the punishment of 5% cut in pension for 2 years under rule 9 of Andhra Pradesh Revised Pension Rules, 1980 against Sri D.Ahmed Hussain, Senior Assistant (Retired.), Industrial Training Institute, (G) Kurnool and to send a compliance report to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

BHANWAR LAL,
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri D.Ahmed Hussain, Senior Assistant (Retired.),
Industrial Training Institute, (G) Kurnool through
The Director of Employment and Training.
The Director of Employment and Training, Hyderabad.
The Andhra Pradesh Public Service Commission, Hyderabad.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER